

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DIOMEDEZ DANIEL AVILES
MENDOZA,

Case No. 25-CV-1001 (NEB/ECW)

Petitioner,

ORDER ACCEPTING REPORT AND
RECOMMENDATION

v.

UNITED STATES OF AMERICA,

Respondent.

The Court has received the May 12, 2025 Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright. (ECF No. 9.) No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation (ECF No. 9) is ACCEPTED;
2. Petitioner's petition for a writ of habeas corpus under 28 U.S.C. Section 2241 (ECF No. 1) is DENIED;
3. This action is DISMISSED; and
4. Petitioner's application to proceed in forma pauperis (ECF No. 4) is DENIED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 13, 2025

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge